

### REMARKS

Claims 1, 3-8, 11-15 and 26-31 are pending in the application. Claims 16-25 have been withdrawn. Applicants respectfully request reconsideration of the rejection set forth in the Office Action dated February 3, 2006 in light of the following remarks.

Applicants thank the Examiner for the courtesy extended during the telephonic interview with Applicants' representative on March 16, 2006. During this interview, the Haskell reference was discussed.

#### Rejection Under 35 U.S.C. §102/103

Claims 1, 3-8, 11-13, 15 and 26-31 were rejected under 35 U.S.C. 102(b) as being unpatentable over U.S. Patent No. 5,687,095 to Haskell ('Haskell').

Applicants respectfully traverse the §102 rejection. Haskell fails to teach all the limitations in the claims.

Haskell describes fast transmission rate matching techniques.

Haskell fails to teach "a first re-quantization scheme" and "a second re-quantization scheme that includes full decoding and re-encoding". Page 2 of the Office Action dated February 2 2006 points to 104 and 109 of Fig. 1 of Haskell to teach "full decoding and re-encoding". Haskell describes the system of Fig. 1 in col. 4 lines 16-67. As detailed in col. 4 lines 26-28, VMD 104 outputs quantized DCT coefficients at output 105. The DCT coefficients are sent to DCT coefficients processor 107 (lines 38-40), which reduces bit rate by re-quantizing the DCT coefficients or dropping coefficients. The processor 107 outputs altered DCT coefficients to multiplexing encoder 109, which combines the DCT coefficients with motion vectors to produce encoded video. Notably, **Haskell never decompresses the data farther than the DCT coefficients**, and thus does not teach full decoding as recited in the independent claims. He also does not teach full re-encoding since multiplexing encoder 109 receives DCT coefficients, which represents partially encoded video.

Thus, there are two limitations in the claims that not taught by Haskell: full decoding and full re-encoding (for a second re-quantization scheme). Since Haskell does not teach all the limitations in the claims, rejection under 35 U.S.C. 102(b) is no longer proper and the claims are allowable over Haskell.

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In addition, Haskell openly teaches against full decoding and re-encoding (col. 2 lines 39-54) and thus would not combine a second re-quantization scheme that includes full decoding and re-encoding with a first re-quantization scheme, as recited. Claim 30 for example recites "a computer readable medium including" both "instructions for re-quantizing ... video data using a first re-quantization scheme" and "instructions for re-quantizing ... video data using a second re-quantization scheme that includes full decoding and re-encoding".

For at least these reasons, Haskell does not teach all limitations in independent claims 1, 26, 20 and 31 and the independent claims are allowable over Haskell.

Dependent claims 3-8, 11-13, 15 and 27-30 each depend directly from independent claims 1 and 26, respectively, and are therefore respectfully submitted to be patentable over Haskell for at least the reasons set forth above with respect to the independent claims. Further, the dependent claims recite additional elements which when taken in the context of the claimed invention further patentably distinguish the art of record.

For example, dependent claim 6 recites performing full decoding and re-encoding on a P-frame. Since Haskell does not teach full encoding and re-encoding, he therefore does not teach this limitation.

Withdrawal of the rejection under 35 USC 102(b) is therefore respectfully requested.

Claims 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Haskell in view of U.S. Patent No. 5,617,142 to Hamilton ('Hamilton').

Applicants also respectfully traverse this rejection. Any §103 combination rejection using Haskell violates rules for the proper combination of references per the MPEP.

Haskell clearly teaches against full decoding and re-encoding as recited in the amended claims. Specifically, he states "Since decoding as well as encoding processes are required, transcoding is very time-consuming. As a practical matter, the time delay is at least twice that of the end-to-end encoding delay. Such a delay is not tolerable for applications requiring real-time communication, such as multimedia conferencing." See col. 2 lines 46-54. As stated in the MPEP: "Prior Art Must be Considered in its Entirety, Including Disclosures

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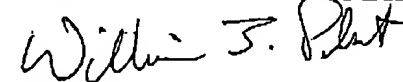
that Teach Away from the Claims" (MPEP 2141.02). It is respectfully submitted that the reference must not teach away from the claims (which Haskell openly does) in order to be used in a §103 combination rejection.

In addition, Hamilton states that "It would be further advantageous to provide such a scheme that requires only a minimal amount of compression related components at the redistribution sites which receive the high quality satellite signals and redistribute them locally at a higher compression level" (see col. 2, lines 60-67 of Hamilton). Haskell's system adds components and complexity to speed transmission rate matching and requires two-way communications, which adds substantial complexity onto of Hamilton's single direction broadcasts. Combining the references as asserted in the §103 combination rejection would increase complexity, which Hamilton openly teaches against. The rejection thus contradicts another rule in the MPEP for combining references: "References Cannot be Combined Where the Reference Teaches Away from Their Combination" (MPEP 2145 X.D.2).

For at least these reasons, any combination rejection using Haskell is improper, particularly Haskell and Hamilton. Withdrawal of the rejection under 35 USC 103(a) is therefore respectfully requested.

Applicants believe that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,  
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